

FILED
US DISTRICT COURT
DISTRICT OF ALASKA

2005 DEC 23 AM 11:17

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

USA,)
Plaintiff,)
)
vs.)
)
MITCHELL ASHER,)
Defendant.)

Case No. F05-036 CR (RRB)

NON-OPOSED MOTION FOR EXTENSION OF TIME

COMES NOW LANCE C. WELLS, COUNSEL for Defendant named above, and hereby files this Non-Opposed Motion for an Extension of Time until January 25, 2006 in which to file his client's pretrial motions.

This non-opposed motion is supported by the attached affidavit of counsel filed herewith.

Dated this 2nd day of Dec, 2005.

Law Offices of Lance C. Wells, P.C.

By:

Lance C. Wells
Alaska Bar #9206045

I certify that on the 2nd day of Dec 05,
a true and copy of the foregoing was served
by MHC on Cooper

LAW OFFICES
OF LANCE
CHRISTIAN WELLS
A Professional
Corporation
733 W. 4th Avenue
Suite 308
Anchorage, AK 99501
Ph (907) 274-9696
Fax (907) 277-9859

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

USA,)
Plaintiff,)
vs.)
MITCHELL ASHER,)
Defendant.)

Case No. F05-036 CR (RRB)

AFFIDAVIT OF COUNSEL

STATE OF ALASKA)
) ss
THIRD JUDICIAL DISTRICT)

Lance C. Wells being duly sworn deposes and states as follows:

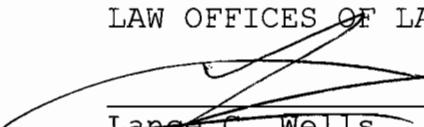
1. I am the counsel of record for the Defendant in the above matter.
2. That I am a sole practitioner in Anchorage, Alaska. My practice is limited to civil work and criminal defense primarily. I am also an OPA and CJA contract attorney for the State of Alaska and the Federal Government.
3. That my client's pre trial motions are currently due on or before 1/6/05.
4. I will be unable to complete a review of discovery by that date as I am awaiting receipt of documentation regarding this case as well as documentation from the State Florida.

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5. That AUSA Cooper and I have had our telephonic discovery conference. At that time on 12/21/05, I requested of him that I have until 1/25/06 to file any pretrial motions. He did not oppose that request as his office is still assembling initial discovery for the Alaska matter.
6. I will also be out of Alaska December 25th through January 8 visiting my parents in Texas. They are getting up in years and travel is very difficult for them to Alaska. This trip has been planed for over one year. I cannot change my travel arrangements.
7. Neither side will be prejudiced by this brief continuance request.
8. I request until 1/25/06, to complete my client's pretrial motions and file them with the court.

Dated this 22nd day of December, 2005, at Anchorage, Alaska.

LAW OFFICES OF LANCE C. WELLS


Lance C. Wells

Alaska Bar No. 9206045

Subscribed and Sworn to before me this 22nd day of Dec, 2005.



Notary Public in and for Alaska

My Commission Expires: June 8, 2006